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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Joint written statement submitted by Franciscans International, a non-governmental organization in general consultative status, and Pax Christi International, International Catholic Peace Movement and Maryknoll Fathers and Brothers, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 December 1999]

GE.00-10556 (E)

Violations of human rights by Latin American military personnel trained at the United States army School of the Americas at Fort Benning, Georgia

1. The United States army School of the Americas (SOA), located at Fort Benning, Georgia, is a military educational institution that has trained more than 57,000 officers, cadets, non-commissioned officers (NCOs) and civilians from Latin America and the United States over the past 50 years. According to the United States Department of State, the training provided by SOA is intended to be a long-term investment in a positive relationship with Latin America. Today's school is derived from several predecessor institutions, beginning with a 1946 army school established primarily to provide technical instruction to United States personnel, with limited training for Latin Americans.

2. Courses at SOA are taught by United States and Latin American military personnel and some civilian instructors. The Latin American instructors are nominated by their Governments and are subject to United States approval.

3. Critics of SOA, including citizens of the United States, members of the United States Congress, religious leaders around the world, labour leaders and human rights organizations, claim that the repeated involvement of SOA graduates in the violation of human rights implicates the school, making it co-responsible for such violations throughout the hemisphere and that therefore, the school should be closed.

4. The organizations presenting this statement to the United Nations Commission on Human Rights work in countries where graduates of SOA have repeatedly violated basic human rights. We have witnessed the brutality and aided the survivors. We believe that the connections between the school and human rights violations are not incidental.

5. Despite a recent United States law that requires the vetting of applicants to SOA for previous involvement in human rights violations and the addition of some human rights courses at the School, efforts at reform cannot erase the extremely negative impact of SOA training over the past 30 years and have not effectively prevented SOA graduates from violating human rights.

6. Of 33 courses in the SOA catalogue, only 5 are related to human rights, democracy or humanitarian issues, and less than 10 per cent of the students took these courses in 1998. Furthermore, although SOA has made much of its new Human Rights Train-the-Trainer course, no student attended the course in 1997 or 1998, and none was projected to do so in 1999. The majority of courses taught at SOA are standard military fare, including Cadet Combined Arms Operations, Military Intelligence and Psychological Operations. Recent figures show that over 3,300 Latin American troops took basic combat training at SOA, while in the same year 25 took Counter-Mine Operations and 28 took Democratic Sustainment. Despite its self-description as a school for democracy, SOA remains primarily a military combat school.

7. Documented connections between SOA and notorious, egregious and sustained human rights abuses, a number of them recent, include the following examples.

Colombia

8. Fifty per cent (124 out of 247) of the military officials named as human rights violators in *State Terror in Colombia* (1992) were SOA graduates. Some of the architects of the paramilitary-military collaboration that is fuelling much of the violence today were SOA graduates.

9. On 27 October 1997, SOA-trained soldiers murdered the president of the Colombian electrical workers' union. That same day, other SOA trainees abducted workers at Colombia's State-run oil company. Just a month later, on 26 November in Medellin, they assassinated the secretary of the Colombian construction union (Amnesty International).

10. On 13 May 1998, the army's Fifth Division carried out an illegal raid on the offices of the human rights organization, Justice and Peace. During the course of the raid, the security forces at least partially copied a database of over 40,000 human rights cases. Fellow officers have stated that SOA graduate Brigadier General Rito Alejo del Rio ordered the raid. This same officer had links to paramilitary groups that were allowed to operate freely in some areas that were under military control (1998 United States State Department Report on Human Rights in Colombia).

11. In May 1998, the Colombian army formally disbanded the 20th Brigade (Military Intelligence) for its involvement in human rights abuses, including the targeted killings of civilians. The commander of the Brigade at the time was SOA graduate Paucelino Latorre Gamboa. SOA graduate General Yanine Diaz "was accused of implementing a strategy to have paramilitary groups carry out counter-guerrilla activities that the army was prohibited from doing. Despite the Government's attempts to bring him to justice in the civilian court system, the military prevailed, continuing the tradition of impunity for all but the lowest-ranking members of the security forces" (ibid.).

Guatemala

12. The full report of the Historical Clarification Commission (CEH) in Guatemala singled out SOA for its counter-insurgency training that "had a significant bearing on human rights violations during the armed conflict ... By identifying all opponents as adversaries, the National Security Doctrine [taught at the SOA] helped to broaden the definition of counter-insurgency and to spread techniques of persecution ... within a growing atmosphere of State terror" (Historical Clarification Report, February 1999).

13. A separate 1998 human rights report released by the Guatemala Archdiocese Human Rights Office also linked SOA to the civilian-targeted genocide campaign. Unlike the Historical Clarification Commission, which was limited by a Peace Accord agreement, the Archdiocese document, *Guatemala: Never Again*, named specific military officers responsible for atrocities. The 1998 document cited SOA graduates for some of the most notorious human rights violations, including the murder of anthropologist Myrna Mack, the cover-up of the murder of United States citizen Michael DeVine, and the torture and murder of Efrain Bamaca, husband of

United States lawyer, Jennifer Harbury. The Archdiocese report also named SOA graduates as top leaders in the fearsome Guatemalan military intelligence agency (D-2 or G-2), which both reports cite for horrific abuses (Guatemala, *Nunca Mas*, 1998).

14. Both reports concur that paramilitary groups were to blame for a large percentage of the 42,000 human rights violations. SOA graduate Benedicto Lucas Garcia masterminded the creation of the paramilitary civil patrols responsible for some of the most brutal violations of the war.

El Salvador

15. The United Nations Truth Commission Report, released in March 1993, cited over 60 Salvadoran officers for the worst atrocities during El Salvador's brutal civil war. Over two thirds of the Salvadoran officers named were SOA alumni, including:

- Two of the three officers or former officers cited for the assassination of Archbishop Oscar Romero on 24 March 1980;

- Three of the five officers cited for the murder of the four United States churchwomen, including two of our Maryknoll Sisters, who were killed on 2 December 1980;

- Ten of the 12 cited for the El Mozote massacre of December 1981, when nearly 1,000 civilians, mostly women and children, were brutally killed;

- Nineteen of the 26 cited for the massacre of the Jesuits and two women at the University of Central America in November 1989.

16. The circumstantial evidence of SOA's lack of concern for human rights is overwhelming and dramatically illustrated again by its choice of instructors and speakers, and of those whom the school chose to honour in its "Hall of Fame". A few examples follow:

Chile: Colonel Pablo Belmar. 1987, Guest Instructor; 1968, Basic Arms Orientation Course. Directly implicated in the 1976 torture and murder of United Nations official Carmelo Soria, whose neck was broken after he was arrested and tortured by Chilean intelligence personnel (DINA). Soria's car and body were dumped in a Santiago canal in order to make his death appear accidental (Americas Watch Report, Unfinished Business, May 1994);

Colombia: General (Ret.) Farouk Yanine Diaz. 1991, 1990, guest speaker at SOA; 1969, Maintenance Orientation Course. Former commander in the Colombian Army, Yanine "was accused of establishing and expanding paramilitary death squads in the Middle Magdalena region, as well as ordering dozens of disappearances, multiple large-scale massacres, and the killing of judges and court personnel sent to investigate previous crimes." (State Department Human Rights Report for 1997). Yanine's SOA guest appearances occurred after his alleged involvement in crimes such as the 1988 Urabá massacre of 20 banana workers, the 1987 assassination of the mayor of Sabana de Torres, and the 1987 massacre of 19 businessmen.

Guatemala: Lieutenant-Colonel Mario Roberto Grajeda. 1990-1992, Instructor. In 1997, URNG combatants who had demobilized after the signing of the peace accord began receiving death threats from the 22nd Military Zone of Guatemala. Various human rights groups reported this incident to the Justice of the Peace, holding Grajeda, who was commander of the zone, responsible.

17. The co-signatory organizations urge the United Nations Commission on Human Rights:

(a) To include this matter in its agenda of its present session,

(b) To encourage the United States Congress, the President and the United States military to close the United States army School of the Americas as an inappropriate tool of United States foreign policy.